

UNITED STATES DISTRICT COURT  
for the  
Eastern District of North Carolina

United States of America

v

Marcus Antonio McNeill

)

Case No: 5:08-CR-188-1F

) USM No: 53238-056

) Robert Waters

Defendant's Attorney

Date of Original Judgment: February 1, 2011

Date of Previous Amended Judgment:

(Use Date of Last Amended Judgment if Any)

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

The amendment is applicable to the defendant, but does not have the effect of lowering the guideline imprisonment range.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

*(Complete Parts I and II of Page 2 when motion is granted)*

Except as otherwise provided, all provisions of the judgment(s) dated February 1, 2011, shall remain in effect. **IT IS SO ORDERED.**

Order Date: 1/19/16

James C. Fox  
Judge's signature

Effective Date: \_\_\_\_\_  
*(if different from order date)*

James C. Fox Senior U.S. District Judge  
*Printed name and title*